

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETWORK PROTECTION SCIENCES, LLC.,	)	Civil Action No.: 2:10-CV-224-TJW-CE
Plaintiff,	)	JURY TRIAL DEMANDED
v.	)	
JUNIPER NETWORKS, INC., FORTINET, INC.,	)	
WATCHGUARD TECHNOLOGIES, INC.,	)	
SONICWALL, INC. AND DEEP NINES, INC.,	)	
Defendants.	)	
	)	

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**DECLARATION OF TODD NELSON IN SUPPORT OF DEFENDANTS' MOTION TO  
TRANSFER VENUE TO THE NORTHERN DISTRICT OF CALIFORNIA**

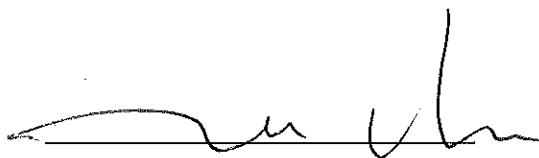
I, Todd Nelson, declare:

1. I am Vice President Legal of Fortinet, Inc. ("Fortinet"). I submit this declaration in support of Defendants' Motion to Transfer Venue to the Northern District of California. I have personal knowledge of the facts stated in this declaration and, if called upon to do so, would testify competently thereto at trial.
2. Fortinet is a corporation organized and existing under the laws of Delaware. Fortinet's corporate headquarters are located at 1090 Kifer Road, Sunnyvale, California in an office consisting of approximately 107,000 square feet.
3. Fortinet is a provider of network security appliances and a market leader in unified threat management (UTM). The majority of Fortinet's development, technical, and marketing documents for the likely products at issue in this case are located at its headquarters in Sunnyvale, California.

4. Forinet maintains its source code for the accused products under very tight security at its headquarters in Sunnyvale, California, and at its offices in Vancouver, British Columbia, Canada.
5. A significant percentage of Fortinet's technical employees who researched, designed, developed and tested the accused products and who support the accused products are located in Fortinet's Sunnyvale headquarters.
6. In addition, all of Fortinet's senior management, including Fortinet's Chief Executive Officer, Ken Xie, and Fortinet's Chief Technology Officer, Michael Xie (specifically named in the complaint) reside in Northern California and work in Fortinet's Sunnyvale headquarters. All decisions regarding the marketing, sales, and tactical pricing of any such allegedly infringing products would have occurred predominantly in Sunnyvale, California.
7. In addition, substantially all of the testing, manufacturing (to the extent manufacturing is performed in the Americas), and shipping of the accused products for the Americas region occurs at Fortinet's Sunnyvale headquarters.
8. Fortinet does not maintain any facilities, employees, or documents in the Eastern District of Texas.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated this 29th day of December, 2010.

A handwritten signature in black ink, appearing to read "Todd Nelson". The signature is fluid and cursive, with a prominent vertical stroke on the right side.

Todd Nelson